

PTO-1390 (Rev. 07-2005)
Approved for use through 03/31/2007. OMB 0651-0021
U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

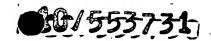
TRANSMITTAL LETTER TO THE UNITED STATES	ATTORNEY'S DOCKET NUMBER	
DESIGNATED/ELECTED OFFICE (DO/EO/US)	64348(41925) - R1.5)	
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED	
PCT/EP04/003306 29 March 2004	8 April 2003	
TITLE OF INVENTION NOVEL COMPOUNDS HAVING AN ANTI-BACTERIAL ACTIVITY		
APPLICANT(S) FOR DO/EO/US		
Christian Hubschwerlen et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. x This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.		
2. This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.		
3. X This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.		
4. X The US has been elected (Article 31).		
5. x A copy of the International Application as filed (35 U.S.C. 371 (c)(2))		
a. is attached hereto (required only if not communicated by the International Bureau).		
b. x has been communicated by the International Bureau.		
c. is not required, as the application was filed in the United States Receiving Office (RO/US).		
6. x An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).		
a. x is attached hereto.		
b. has been previously submitted under 35 U.S.C. 154(d)(4).		
7. X Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))		
a. are attached hereto (required only if not communicated by the International Bureau).		
b. have been communicated by the International Bureau.		
c. have not been made; however, the time limit for making such amendments has NOT expired.		
d. x. have not been made and will not be made.		
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11 to 20 below concern document(s) or information included:		
11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
12. An assignment document for recording. A separate cover sheet in comp	liance with 37 CFR 3.28 and 3.31 is included.	
13. x A preliminary amendment.		
14. x An Application Data Sheet under 37 CFR 1.76.		
15. A substitute specification.		
16. A power of attorney and/or change of address letter.		
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.		
18. A second copy of the published International Application under 35 U.S.C. 154(d)(4).		
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

## JC20 Rec'o T/PTO 18 OCT 2005

PTO-1390 (Rev. 07-2005)

Approved for use through 03/31/2007. OMB 0651-0021
U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE are required to respond to a collection of information unless it displays a valid OMB control number.

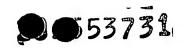
Under \* 1 <del>0</del>/553731 I INTERNATIONAL APPLICATION NO. ATTORNEY'S DOCKET NUMBER PCT/EP04/003306 64348(41925) Return Receipt Postcard; Copy of published PCT Application No. WO 2004/089947 A2 Other items or information: and WO 2004/089947 A3 (with Search Report) The following fees have been submitted **CALCULATIONS PTO USEONLY** Basic national fee (37 CFR 1.492(a)) ...... \$300 21. x 300.00 22. x Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)...... 200.00 \$ All other situations \$200 Search fee (37 CFR 1.492(b)) \$ 400.00 previously communicated to the US by the IB......\$400 All other situations. TOTAL OF 21, 22 and 23 = \$ 900.00 Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. Number of each additional 50 or fraction RATE **Total Sheets** Extra Sheets thereof (round up to a whole number) 37 - 100 = x \$250.00 Surcharge of \$130 for furnishing any of the search fee, examination fee, or the oath or declaration \$ 130.00 after the date of commencement of the national stage (37 CFR 1.492(h)). CLAIMS NUMBER FILED NUMBER EXTRA RATE Total claims 16 - 20 = × 0.00 Independent claims 1 - 3 = × 0.00 MULTIPLE DEPENDENT CLAIM(S) (if applicable) TOTAL OF ABOVE CALCULATIONS = 1,030.00 X Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. 515.00 SUBTOTAL = 515.00 Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). \$ **TOTAL NATIONAL FEE =** \$ 515.00 Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$ TOTAL FEES ENCLOSED = 515.00 Amount to be \$ refunded: Amount to be \$ charged



## JC20 Rec'd PCT/PTO .. 1. 8. QC. T. 2009

Approved for use through 03/31/2007. OMB 0651-0021 U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. A check in the amount of \$ to cover the above fees is enclosed. х 04-1105 in the amount of \$ 515.00 Please charge my Deposit Account No. to cover the above fees. A duplicate copy of this sheet is enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit 04-1105 . A duplicate copy of this sheet is enclosed. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card Information should not be included on this form. Provide credit card information and authorization on PTO-2038 NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed an granted to restore the International Application to pending status. SEND ALL CORRESPONDENCE TO: Peter F. Corless **EDWARDS & ANGELL, LLP** P.O. Box 55874 Peter F. Corless Boston, Massachusetts 02205 NAME (617) 439-4444 CUSTOMER NUMBER: 21874 33,860 REGISTRATION NUMBER



## JC20 Rec'd PCT/PTO 18 OCT 2005

):
----

Attorney Docket No.: 64348(41925)

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV711318553US in an envelope addressed to:

> MS PCT Attention: PCT Legal Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

October 18, 2005 Date

susan m O	ellon	
Signatur	e	
Susan Dil		
Typed or printed name of person signing Certificate		
	(617) 439-4444	
Registration Number, if applicable	Telephone Number	

Note:

Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Petition to Revive International Application Unintentionally Abandoned (2 pages)

Application Data Sheet (3 pages)

Return Receipt Postcard; Copy of published PCT Application No. WO 2004/089947 A2 and WO 2004/089947 A3 (with Search Report) English language translation of the International application

First Preliminary Amendment (7 pages)

Petition (2 pages)

Transmittal Letter to the United States Designated-Elected Office (3

pages)

Charge \$1,265.00 to deposit account 04-1105